ATTORNEY DOCKET NUMBER: 2002834-0232 (Bacterial Delivery DIV2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Caplan et al.

Examiner:

Not yet assigned

Serial No.:

Not yet assigned

Art Unit:

Not yet assigned

Filing Date:

December 4 2003

Title:

MICROBIAL DELIVERY SYSTEM

CERTIFICATE OF MAILING

"Express Mail" mailing label number EV 170393633 US

Date of Deposit: December 4, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

KATHY HART GAGNON

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

STATEMENT UNDER 37 C.F.R. § 1.821(f)

Applicant encloses herewith a paper copy and a computer-readable diskette copy of the Sequence Listing required under 37 C.F.R. §§1.821-1.825 for the above-referenced patent application. The undersigned states that the content of the paper copy of the Sequence Listing contains the identical information as does the computer-readable diskette copy. The preliminary amendment filed herewith includes the necessary Amendment incorporating the Sequence Listing into the specification.

Please charge any fees that may be associated with this matter, or credit any overpayments, to our Deposit Account No. 03-1721.

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Respectfully Submitted,

Date: December 4, 2003

Charles E. Lyon, D.Phil.

Agent for Applicant

Limited Recognition Under 37 CFR §10.9(b)

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